

## Zero-Based Regulation Prospective Analysis

Fill out entire form to the best of your ability, unless submitting a Notice to  
Negotiate only fill out 1, 2, and 5

**Agency Name:** Idaho Department of Lands

**Rule Docket Number:** 20-0301-2301

IDAPA 20.03.01, Rules Governing Dredge and Placer Mining Operations in Idaho

### 1. What is the specific legal authority for this proposed rule?

Statute Section (include direct link)	Is the authority mandatory or discretionary?
<a href="#">Idaho Code Title 47, Chapter 13</a> – Dredge Mining	Mandatory
<a href="#">Idaho Code § 58-104(6)</a> – State Land Board – Powers and Duties	Discretionary
<a href="#">Idaho Code § 58-105</a> – Director	Discretionary

### 2. Define the specific problem that the proposed rule is attempting to solve? Can the problem be addressed by non-regulatory measures?

IDAPA 20.03.01 provides consistent and specific guidance on how a dredge and placer mining permit can be applied for, reviewed, approved, and administered. The proposed changes seek to comply with Executive Order 2020-01, simplify and consolidate requirements, and adjust the inspection fees so they cover the cost of inspections.

### 3. How have other jurisdictions approached the problem this proposed rule intends to address?

#### a. Is this proposed rule related to any existing federal law?

Federal citation	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)

**b. How does this proposed rule compare to other state laws?**

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Washington		
Oregon		
Nevada		
Utah		
Wyoming		
Montana		
Alaska		
South Dakota		

**c. If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:**

**4. What evidence is there that the rule, as proposed, will solve the problem?**

**5. What is the anticipated impact of the proposed rule on various stakeholders? Include, how will you involve them in the negotiated rulemaking process?**

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	Increased fees will result in an estimated annual increase of \$4,500 to the dedicated Dredge and Placer Mining Account. No impact to the General Fund is anticipated.
Impact to Idaho businesses, with special consideration for small businesses	Increased fees will result in an estimated annual increase of \$4,500 and will allow IDL to cover the costs of inspecting these mining operations. This will affect all current permittees, and future permittees. All current permittees will be notified of the negotiated rulemaking, and public meetings will be held around the state.
Impact to any local government in Idaho	No impact to local government is anticipated.

**6. What cumulative regulatory volume does this proposed rule add?**

<b>Category</b>	<b>Impact</b>
Net change in word count	
Net change in restrictive word count	